

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JEREMY JOSEPH,
Defendant.

23 Cr. 68 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

The Court has reviewed the letters regarding the Rule 17(c) subpoena served on the former employer of Victim-1, which sought “any and all human resources documents” pertaining to Victim-1 and had a return date of October 6, 2023.

It is clear that the subpoena was served in violation of Rule 17(c)(3). That Rule provides that a subpoena for “personal *or* confidential information about a victim may be served on a third party *only by court order.*” Fed. R. Crim. P. 17(c)(3) (emphasis added). No court order was sought or obtained in connection with the subpoena. Standby counsel’s arguments that the subpoena did not seek “personal or confidential information” are plainly meritless.

Standby counsel and Mr. Joseph are hereby ordered to immediately return or destroy any and all copies of documents pertaining to Victim-1 obtained through the subpoena served on her former employer. They are further ordered to comply with Rule 17(c)(3) going forward.

The Court defers further action at this time on other matters raised in the parties’ letters.

SO ORDERED.

Dated: November 14, 2023
New York, New York


J. PAUL OETKEN
United States District Judge